

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

*Plaintiff,*

*v.*

Case No. 97 CR 98

RANDY YAGER,

*Defendant.*

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**RANDY YAGER'S PROPOSED VOIR DIRE QUESTIONS**

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1. Have any of you, or one of your family members or personal friends, operated a motorcycle?

If so, please state whether you've owned a motorcycle, its manufacturer, and for how long you, your family member or friend have operated motorcycles.

2. Have any of you or one of your family members or personal friends had any experience or affiliation with a motorcycle club?

If so, please state:

The club affiliation; and

What impressions you have of such clubs.

3. Have any of you viewed any documentaries related to any motorcycle clubs, for example A&E Biography, History Channel, "Gangland," or National Geographic?

If so, how did these programs affect your opinion or perception of motorcycle clubs and the individuals who choose to affiliate themselves with such clubs?

4. Have any of you viewed any fictional television or Internet programs, or movies about motorcycle clubs, such as the "Sons of Anarchy?"

If so:

How did these programs affect your opinion or perception of motorcycle clubs and the individuals who choose to affiliate themselves with those clubs; and

Do you believe that such programs accurately depict the culture and activities of motorcycle clubs?

5. Have any of you, your family or friends had any interaction with a motorcycle club or its members, or attended a motorcycle event?

If so, please explain the interaction or the event attended.

6. Even if you haven't viewed any television documentaries or programs or movies, do you think that you may have formed an opinion about, or have a perception of, motorcycle clubs and individuals who are affiliated with them?

If so, please state those opinions or perceptions.

7. How many among you have regularly watched reality shows about crime such as "Forensic Files," "Cops," "Dateline," "DEA," "The First 48," "48 Hours," or "Police Women?"

If so, please state which programs.

8. How many among you have regularly watched fictional police dramas such as "CSI," "Law and Order," "The Shield," or "The Wire?"

If so, please state which programs.

9. Have any of you, any family members or friends have worked for a law

enforcement or private security agency? If so, please state:

Whether it was you or who the other person is;

In what capacity you or they worked, including the nature of the duties; and for how long.

10. Have any of you ever had any law enforcement training or criminal justice education? If so, please describe that training or education.

11. Do any of you feel that the testimony of a law enforcement officer should be given more weight than the testimony of any other witness; or that a law enforcement officer is more worthy of belief than other witnesses?

12. Do any of you feel that a law enforcement officer has a better memory than other people?

13. Have any of you ever belonged to a national organization that has chapters or affiliates (for example, a college fraternity or sorority, groups such as Rotary, the Lions Club, the Urban League, Mothers against Drunk Driving or a national women's organization)?

If so, please state:

The name of the organization,

For how long you belonged, and

Whether and how you knew what activities other chapters of the organization were engaged in.

14. Do you believe that an organization's leader is necessarily liable for the actions of its members or chapters?

If so, please explain why.

15. Do any of you disapprove of people who have tattoos, or a great number of tattoos?

If so, please explain your feelings.

16. Do any of you, your family members or friends have tattoos?

17. Have any of you, your family members or friends ever used firearms?

If so, please state the circumstances of that use, including the number and types of firearms.

18. Have any of you, your family members or friends ever owned firearms?

If so, please state:

The number and types of firearms and for how long you, your family members or friends have owned them; and

Whether you or they have conceal/carry permits; and

Whether you have any other firearm related permits; e.g., a permit to own, possess or operate an automatic weapon.

19. Have any of you, your family members or friends ever customarily carried knives?

20. Do any of you, your family members or friends have any experience with, or special knowledge about explosives or explosive devices? If so, please state:

Where and when you acquired this knowledge; and

The full extent of your experience, if any.

21. Have any of you, your family members or friends ever served in one of the United States' uniformed services? If so, please state:

In which service you served;

Your dates of service; and

Where you served; and

Whether you served in combat.

22. Have any of you, your family members or friends, or your business or workplace ever been audited or investigated by a government or law enforcement agency? If so, please state:

Whether it was you or another; and

When this occurred; and

What agency performed the audit or investigation; and

Briefly, what it was about; and

How it was resolved; and

How you feel about the experience.

23. Have any of you, your family members or friends ever been charged with a crime? If so, please state:

Whether it was you or another; and

When this occurred; and

What jurisdiction prosecuted the crime; and

Briefly, what it was about; and

How it was resolved; and

How you feel about the experience.

24. Have any of you, your family members or friends ever been treated unfairly by a law enforcement agency or employee?

If so, please explain how.

25. Do any of you feel that it is the duty of a juror to solve the crime alleged?

If the answer is yes, the court is requested to instruct the juror that it is not.

26. Do any of you think it is unfair that the government must provide proof of its allegations beyond a reasonable doubt?

27. This trial is scheduled to last several weeks, and the government will present its case first because it bears the burden of proving its allegations. How many of you may find it difficult to truly presume Mr. Yager's innocence for such a long time before all of the evidence in the case is heard?

28. The accused in any criminal case need not testify and you may not hold his decision not to testify against him. Do any of you think this is unfair or illogical?

If so, please explain why.

29. Have any of you ever been the victim of a crime? If so, please state:

When the offense occurred;

Of what offense you were a victim;

There will be evidence individuals who belonged to the Outlaws motorcycle clubs committed crimes, including violent crimes, for which there were victims. In light of your experience, will you be able to listen to the testimony about these other victims without letting your sympathy or other emotions affect your decision about whether the government has proved beyond a reasonable doubt that Mr. Yager is responsible for the offenses alleged against him?

30. There will be evidence that some individuals who belong to the Outlaws motorcycle club wear Nazi symbols and paraphernalia and that the Outlaws do not admit African American members. Knowing that do you believe that your ability to be objective may be compromised?

31. Can you afford the presumption of innocence and hold the government to its burden of proof if the accused is someone you discover you truly don't like?

32. Do any of you think it is fair in a criminal matter to infer guilt from the defendant's association with people you don't like or don't approve of?

33. Do any of you or your family members have bumper stickers on any of your vehicles? If so, please state what each of them says.

Dated at Madison, Wisconsin this 16<sup>th</sup> day of March, 2016.

Respectfully submitted,

Randy Yager, Defendant.

/s/ Stephen P. Hurley  
Stephen P. Hurley  
Wisconsin Bar No. 1015654

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